

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

JOHN LOGAN, JR.,	)	
	)	
Petitioner,	)	
	)	
vs.	)	NO. CIV-21-1162-HE
	)	
JANET DOWLING,	)	
	)	
Respondent.	)	

**ORDER**

Petitioner John Logan, Jr., a state prisoner appearing *pro se*, filed this case seeking habeas relief pursuant to 28 U.S.C. § 2254. Pursuant to 28 U.S.C. § 636(b)(1)(B) and (C), the matter was referred to Magistrate Judge Amanda Green for initial proceedings. Respondent filed a motion to dismiss arguing that the petition was time-barred. Petitioner did not respond to the motion. Judge Green has now issued a Report and Recommendation recommending that the petition be dismissed with prejudice.

The Report advised petitioner of his right to object to the Report by June 22, 2022. Petitioner has failed to object to the Report thereby waiving his right to appellate review of the factual and legal issues it addressed. Casanova v. Ulibarri, 595 F.3d 1120, 1123 (10th Cir. 2010).

Accordingly, the court **ADOPTS** the Report and Recommendation [Doc. #11]. Respondent's Motion to Dismiss [Doc. #9] is **GRANTED**. The petition is **DISMISSED** with prejudice. The court also concludes that a certificate of appealability should not issue

because petitioner has failed to demonstrate “a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2).

**IT IS SO ORDERED.**

Dated this 20th day of July, 2022.

  
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JOE HEATON  
UNITED STATES DISTRICT JUDGE